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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/902,516	07/10/2001	Bo Lindell	34649-450PT	7418

7590 02/08/2005

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EXAMINER

KNOWLIN, THJUAN P

ART UNIT	PAPER NUMBER
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2642

DATE MAILED: 02/08/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

**Application No.**

09/902,516

**Applicant(s)**

LINDELL, BO

**Examiner**

Thjuan P Knowlin

**Art Unit**

2642

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 10 July 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-26 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-26 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 10 July 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>07/10/01;07/09/02</u> . | 6) <input type="checkbox"/> Other: _____  |

## DETAILED ACTION

### ***Claim Rejections – 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

1. Claims 1-6, 8-9, 13-19, and 21-23 are rejected under 35 U.S.C. 102(e) as being anticipated by Bouvier et al (US 6,430,276).
2. In regards to claims 1 and 13, Bouvier discloses a method of selecting an access network from among one or more access networks (Public Internet 30, Private Intranet 20, and Extranet 40) capable of providing service to a mobile communication station (Abstract, col. 2 lines 14-28, and col. 4 lines 55-59), the method comprising: receiving a request for access to an access network, said request including at least one service requirement (col. 5 lines 1-5 and col. 6 lines 25-34); determining an availability of each of at least one access network based on said at least one service requirement (col. 9-10 lines 57-11); selecting, based on one or more user preferences, an access network determined to be available from said at least one access network; and accessing said selected access network (col. 6 lines 43-49, col. 7 lines 29-61, and col. 10 lines 4-11).

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3. In regards to claims 2 and 15, Bouvier discloses the method and mobile communication station, further comprising selecting a service type in said selected access network based on said user preferences (col. 6 lines 43-49 and col. 7 lines 29-61).
4. In regards to claims 3 and 16, Bouvier discloses the method and mobile communication station, further comprising retrieving said user preferences from a user profile (HLR and VLR) stored in said mobile communication station (col. 2 lines 29-35).
5. In regards to claims 4 and 17, Bouvier discloses the method and mobile communication station, further comprising retrieving said user preferences from a subscriber identification module (col. 2 lines 29-35, col. 6 lines 30-34, and col. 6 lines 43-46).
6. In regards to claims 5 and 18, Bouvier discloses the method and mobile communication station, further comprising manually entering said user preferences via a man-machine interface (col. 8 lines 55-57).
7. In regards to claims 6 and 19, Bouvier discloses the method and mobile communication station, wherein said user preferences include a lowest service cost (tariff) (col. 5 lines 10-14, 7 lines 29-38, and col. 10 lines 4-11).
8. In regards to claims 8 and 22, Bouvier discloses the method and mobile communication station, wherein said determining step includes continuously scanning a broadcast pilot signal from each access network (col. 10 lines 4-11).
9. In regards to claims 9 and 23, Bouvier discloses the method and mobile communication station, wherein said determining step includes estimating a status of

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said mobile communication station within each access network (col. 2 lines 14-35 and col. 10 lines 4-11).

10. In regards to claim 14, Bouvier discloses the mobile communication station, wherein said software program is further configured to report said access network selection information to said application (col. 7 lines 39-47).

11. In regards to claim 21, Bouvier discloses the mobile communication station, wherein said software program is configured to allow said application to select an access network based on said availability of said access networks (col. 10 lines 4-11).

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

12. Claims 7, 10-12, 20, and 24-26 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bouvier et al (US 6,430,276).

13. Bouvier discloses all of claims 7, 10, 11, 12, 20, 24, 25, and 26 limitations, except the method and mobile communication station, wherein said user preferences include a minimum power consumption, bit rate requirement, maximum transfer delay, and maximum frame error rate. Examiner takes official notice that these user preferences are well known in the art. They are often used as a way of allowing the user to minimize

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power usage and to reduce the amount of error within a system, therefore, providing a more user friendly method of accessing a particular network.

### ***Conclusion***

14. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Gupta et al (US 6,567,667) teach a domain selecting system and method. LaPier et al (US 6,333,931) teach a method and apparatus for interconnecting a circuit-switched telephony network and a packet-switched data network, and applications thereof.

15. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thjuan P Knowlin whose telephone number is (703) 308-1727. The examiner can normally be reached on Mon-Fri 8:00-4:30pm.


16. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ahmad Matar can be reached on (703)305-4731. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

17. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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